

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

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KELLY M. LANDIS,

Plaintiff,

V.

LUXOR RESORT AND CASINO, et al.

Defendants.

| Case No. 2:16-cv-02401-APG-GWF

Order (1) Accepting Magistrate Judge's Reports and Recommendations Dismissing Some Claims, and (2) Dismissing Remaining Claims

(ECF Nos. 4, 9)

On October 2, 2017, Magistrate Judge Foley entered a Report and Recommendation recommending dismissal with prejudice of the plaintiff's claims against defendants Shannon Fitzmyer, Sujoy Brahma, and Bill Miller. ECF No. 4. No objection has been filed to that Report and Recommendation. I am not required to conduct "any review at all ... of any issue that is not the subject of an objection." *Thomas v. Arn*, 474 U.S. 140, 149 (1985). I therefore will accept that recommendation and dismiss those claims.

On December 1, 2017, Magistrate Judge Foley entered another Report and Recommendation recommending dismissal of the plaintiff's claims of discrimination and harassment because the plaintiff failed to file an amended complaint and ignored Judge Foley's order to show cause why those claims should not be dismissed. ECF No. 9. Again, no objection has been filed so I am not required to conduct any review of that recommendation. *Thomas*, 474 U.S. at 149. I therefore will accept that recommendation and dismiss those claims.

Also on December 1, 2017, the plaintiff was advised by the court (ECF No. 8) that this action would be dismissed without prejudice unless on or before December 31, 2017, the plaintiff filed proper proof of service of the summons and complaint on all of the defendants or showed good cause why such service was not timely made. The plaintiff has failed to file proof of service nor shown good cause. Nor has the plaintiff shown cause why this action should not be dismissed

1 for failure to effect timely service pursuant to FRCP 4(m). Therefore, I will dismiss the claims
2 against Luxor without prejudice.

3 IT IS HEREBY ORDERED that Magistrate Judge Foley's October 2, 2017 Report and
4 Recommendation (ECF No. 4) is accepted, and the plaintiff's claims against defendants Shannon
5 Fitzmyer, Sujoy Brahma, and Bill Miller are DISMISSED WITH PREJUDICE.

6 IT IS FURTHER ORDERED that Magistrate Judge Foley's December 1, 2017 Report and
7 Recommendation (ECF No. 9) is accepted, and the plaintiff's claims of discrimination and
8 harassment are DISMISSED.

9 IT IS FURTHER ORDERED that this case is DISMISSED without prejudice. The clerk of
10 the court shall enter Judgment accordingly and close this file.

11 Dated: January 5, 2018.



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13 ANDREW P. GORDON
14 UNITED STATES DISTRICT JUDGE
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